



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUN 6 2012

Daniel S. Morris
Acting Regional Administrator
National Marine Fisheries Service
1 Blackburn Drive
Gloucester, MA 01930

Dear Mr. Morris:

The U. S. Environmental Protection Agency (EPA) has completed its review of Maryland's proposed revised Water Quality Standards (WQS) regulation. On January 13, 2012, the Maryland Department of the Environment (MDE) published in the Maryland Register the Notice of Proposed Action to amend the Code of Maryland Regulation (COMAR). MDE held a public information meeting concerning the adoption of these amendments at their main office January 26, 2012. EPA was informed March 23, 2012 that Maryland provided notice in the Maryland Register of the adoption of these regulations. EPA Region III will likely approve, in accordance with Section 303(c) of the Clean Water Act (CWA), specific sections of Maryland's WQS that were new or revised in that adoption. In order to fulfill our obligation under Section 7 of the Endangered Species Act (ESA), we prepared the enclosed Biological Evaluation to ensure that our action will not adversely affect Federally-listed threatened and endangered species, and their critical habitat. The purpose of this letter is to formally submit and seek concurrence from the U.S. National Marine Fisheries Service on the Biological Evaluation. We hope we can obtain the Service's concurrence through informal consultation.

We ask that you respond to this letter as soon as possible, but in no case later than June 30, 2012. We look forward to an early reply to this letter and a favorable response to your review of the information. Should you have any questions concerning this correspondence or the enclosure, please contact me at (215)814-5452 or Mark Barath of my staff at (215)814-2759.

Sincerely,

A handwritten signature in dark ink, which appears to read "Larry Merrill", is written over the typed name.

Larry Merrill, Associate Director
Office of Standards, Assessment & Total Maximum
Daily Loads

Enclosure

cc: Chris Vaccaro (NOAA Fisheries)
Julie Crocker (NOAA Fisheries)